

Amendment No. 1 to HB1400

Hulsey  
Signature of Sponsor

**AMEND Senate Bill No. 1219**

**House Bill No. 1400\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-13-503(b), is amended by deleting the subsection and substituting:

(b)

(1) Except as provided in subdivision (b)(2), rape is a Class B felony.

(2) If the victim of the offense is at least thirteen (13) years of age but less than eighteen (18) years of age, rape is a Class B felony and, notwithstanding title 40, chapter 35, the defendant shall be punished as a Range II offender; however, the sentence imposed upon the defendant may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 2. Tennessee Code Annotated, Section 39-15-302(b), is amended by deleting the subsection and substituting:

(b)

(1) Except as provided in subdivision (b)(2), incest is a Class C felony.

(2) If the victim of the offense is a minor, incest is a Class B felony and, notwithstanding title 40, chapter 35, the defendant shall be punished as a Range II offender; however, the sentence imposed upon the defendant may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.